

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In Re Enron Corporation	\$	
Securities, Derivative &	\$	MDL-1446
"ERISA" Litigation	\$	
	\$	
MARK NEWBY, ET AL.,	\$	
	\$	
Plaintiffs	\$	
	\$	
VS.	\$	CIVIL ACTION NO. H-01-3624
	\$	CONSOLIDATED CASES
ENRON CORPORATION, ET AL.,	\$	
	\$	
Defendants	\$	

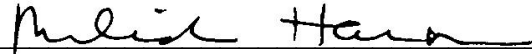
**O R D E R**

The Court has received a letter dated June 17, 2005 from Helen Hodges, of Lerach Coughlin Stoia Geller Rudman Robbins LLP, counsel for Lead Plaintiff, advising the Court that "further briefings and rulings on the following motions may be deferred pending Court approval or disapproval of the settlements" with Citigroup and JPMorgan Chase: (1) Citigroup's motion for partial judgment on the pleadings (#3563 in H-01-3624); (2) The Evangelical Lutheran Church in America Board of Pensions's motion to intervene (#3443 in H-01-3624; #28 in H-03-2240); (3) Lead Plaintiff's motion to compel JPMorgan Chase and Citigroup to produce responsive documents without improper redactions (#2387 in H-01-3624); and (4) JPMorgan Chase et al.'s motion for partial judgment on the pleadings (#3573).

Given the sheer number of motions pending in this MDL litigation, to insure that these motions are not inadvertently reached, the Court

ORDERS that these motions are hereby designated MOOT, but may be summarily reurged without prejudice, along with all related submissions, should the settlement not be approved.

**SIGNED** at Houston, Texas, this <sup>22nd</sup> day of June, 2005.

A handwritten signature in cursive script, reading "Melinda Harmon", written in black ink.

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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE